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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,795	10/22/2003	Darren Kady	KADY-0001-CP3	5615
22506	7590	10/18/2006	EXAMINER	
JAGTIANI + GUTTAG 10363-A DEMOCRACY LANE FAIRFAX, VA 22030			BROWN, VERNAL U	
			ART UNIT	PAPER NUMBER
			2612	

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/690,795

Applicant(s)

KADY ET AL.

Examiner

Vernal U. Brown

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 57-88 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 57-72, 76-88 is/are rejected.
- 7) ☒ Claim(s) 73-75 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to amendment filed August 02, 2006

Response to Amendment

The examiner has acknowledged the cancellation of claims 1-56 and the addition of claims 57-88.

Response to Arguments

In order to comply with rule 37 CFR 1.126 newly submitted claims 58-89 have been renumbered as claims 57-88 respectively. The applicant should check the claims to ensure correct dependency exists.

Applicant's arguments with respect to claims 57-88 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

Claims 73-75 are objected to because of the following informalities: Claim 73 depends on itself. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 61-63, 78-80, 83-84 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which

Art Unit: 2612

was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claims 61-63, 83 the limitation of the control system controls a plurality of televisions is not disclosed in the specification.

Regarding claim 78-80, the limitation of the programming entered on one television is duplicated in multiple television is not disclosed in the specification.

Regarding claim 84, the limitation of one of the plurality of television has a master control system is not disclosed in the specification.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 82 recites the limitation "said plurality of televisions". There is insufficient antecedent basis for this limitation in the claim. Claim 82 is interpreted as programming a television.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2612

Claim 57-60, 68-69, 76-77, and 81-82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harnum et al. US Patent 5231661 in view of Oh US Patent 5231310.

Regarding claims 57, 76-77, 81 Harnum et al. teaches an operating control system for use in controlling the viewing of a television comprising:

- a. a primary user code (master) having programming rights (col. 6 lines 5-17);
- b. at least one unique secondary user code, each of said at least one unique secondary user code having customizable user rights (col. 7 lines 17-25), said customizable user rights being determined by said primary user code (col. 6 lines 43-50);
- c. an activation/deactivation member provided by the microcontroller (col. 7 lines 55-60),
- d. multiple programmable modes, said multiple programmable modes being at least the time for activation/deactivation of said television (col. 6 lines 19-41);
- e. a primary user programmable mode selection means (key-pad), said primary user programmable mode selection means enabling programming of each of said multiple programmable modes by said primary user for each of said at least one unique secondary user code (col. 6 lines 5-17);,
- f. programmable mode activation time periods for each of said multiple programmable modes, said programmable mode activation time periods being set by a primary user for each of said multiple programmable modes for each of said at least one unique secondary user code consisting of activation/deactivation time of day (col. 6 lines 56-66),

Art Unit: 2612

- g. input means (key pad), said input means to enter said user access code, said programmable feature selection and said programmable feature activation time period (col. 6 lines 51-65);
- h. an internal control member (U3) , said control member being in direct communication with said input device (input switches are connected directly with U3 as shown in figure 4), said programmable feature activation time period and said programmable mode selection means by controlling each of said multiple programmable modes based upon primary user programming of said multiple programmable modes and said programmable mode activation time for each of said unique secondary user codes (col. 6 lines 51-65). Harnum et al. is however silent on teaching the programming mode include channel selection. Oh in an art related appliance lock invention teaches programming mode include blocking selected channels during a time period (col. 9 lines 61-64).

It would have been obvious to one of ordinary skill in the art to modify the television viewing control device in Harnum et al. as disclosed by Oh because the blocking of selected channels during a period of time represents further administering control, preventing unauthorized use to the television in order to control the viewing of the television.

Regarding claim 58, Harnum et al. teaches the control system is integral to said television because it is connected to the TV for controlling its usage (col. 4 lines 35-40).

Regarding claim 59, Harnum et al. teaches the input means (40) is attached by cable to the TV (col. 4 lines 22-30), which implies that input means is removable from said television.

Regarding claims 60 and 82, Harnum et al. teaches an input means for inputting control information (col. 6 lines 51-65) but is silent on teaching the use of a remote control as the input

Art Unit: 2612

means. Oh in an art related appliance lock invention teaches the use of a remote control to input control information for controlling the viewing of the TV (col. 9 lines 28-30).

It would have been to one of ordinary skill in the art to modify the television viewing control device in Harnum et al. as disclosed by Oh because programming the control device using a remote control provides a more convenient means of programming the viewing control device.

Regarding claim 68, Harnum et al. teaches programming the viewing times of a television (col. 6 lines 5-17) but is silent on teaching at the end of the programmable mode activation time periods the television enters a sleep mode. Oh in an art related appliance lock invention teaches a relay that determines if the appliance receive power is turned off when the allotted viewing time expired (col. 2 lines 37-55). The removal of power from the appliance is considers a sleep mode.

It would have been obvious to one of ordinary skill in the art to modify the television viewing control device in Harnum et al. as disclosed by Oh because entering the sleep mode at the end of the allotted viewing time conserves power and prevent the viewing of the television.

Regarding claim 69, Harnum et al. teaches an operating control system for use in controlling the viewing of a television comprising:

- a. a primary user code (master) having programming rights (col. 6 lines 5-17);
- b. at least one unique secondary user code, each of said at least one unique secondary user code having customizable user rights (col. 7 lines 17-25), said customizable user rights being determined by said primary user code (col. 6 lines 43-50);
- c. an activation/deactivation member provided by the microcontroller (col. 7 lines 55-60),

Art Unit: 2612

d. multiple programmable modes, said multiple programmable modes being at least the time for activation/deactivation of said television (col. 6 lines 19-41);

e. a primary user programmable mode selection means (key-pad), said primary user programmable mode selection means enabling programming of each of said multiple programmable modes by said primary user for each of said at least one unique secondary user code (col. 6 lines 5-17);,

f. programmable mode activation time periods for each of said multiple programmable modes, said programmable mode activation time periods being set by a primary user for each of said multiple programmable modes for each of said at least one unique secondary user code and being selected from at least one of the group consisting of at least one activation/deactivation time of day (col. 6 lines 56-66),

g. input means (key pad), said input means to enter said user access code, said programmable feature selection and said programmable feature activation time period (col. 6 lines 51-65);

h. an internal control member (U3) , said control member being in direct communication with said input device (input switches are connected directly with U3 as shown in figure 4), said programmable feature activation time period and said programmable mode selection means by controlling each of said multiple programmable modes based upon primary user programming of said multiple programmable modes and said programmable mode activation time for each of said unique secondary user codes (col. 6 lines 51-65). Harnum also teaches connecting the output of

Art Unit: 2612

the controller to other media devices (col. 4 lines 35-40) and computers are considered media devices. The invention of Harnum is therefore applicable to computers. Harnum et al. is however silent on teaching the programming mode include channel selection. Oh in an art related appliance lock invention teaches programming mode include blocking selected channels during a time period (col. 9 lines 61-64).

It would have been obvious to one of ordinary skill in the art to modify the television viewing control device in Harnum et al. as disclosed by Oh because the blocking of selected channels during a period of time represents an alternative to controlling the power to the television in order to control the viewing of the television.

Claims 61-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harnum et al. US Patent 5231661 in view of Oh US Patent 5231310 and further in view of DeRodeff et al. US Patent 5828403.

Regarding claim 61-63, Harnum et al. teaches programming the viewing times of a television (col. 6 lines 5-17) but is silent on teaching the control system control a plurality of television. DeRodeff et al. in an art related television control device teaches a control system that controls a plurality of televisions (col. 7 lines 17-25).

It would have been obvious to one of ordinary skill in the art to modify the television viewing control device in Harnum et al in view of Oh as disclosed by DeRodeff et al. because controlling a plurality of televisions with the same programming information provides a more convenient means of controlling a group of televisions.

Art Unit: 2612

Claims 64-65 and 85-86 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harnum et al. US Patent 5231661 in view of Oh US Patent 5231310 and further in view of Pearce US Patent 4011555.

Regarding claims 64-65 and 85-86, Harnum et al. teaches programming the viewing times of a television (col. 6 lines 5-17) but is silent on teaching an alarm system activated by removal of power to the control system for a predetermined time. Pearce in an art related radio and television alarm system invention teaches an alarm system activated by removal of power to the control system of a television (col. 1 lines 35-38).

It would have been obvious to one of ordinary skill in the art to activate an alarm when the power to the control system has been removed because this secure the appliance from theft and prevent someone from circumventing the password requirement.

Claims 66, 72, and 87 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harnum et al. US Patent 5231661 in view of Oh US Patent 5231310 in view of Pearce US Patent 4011555 and further in view of Lent US Patent 4284983.

Regarding claim 66, 72 and 87, Harnum et al. teaches programming the viewing times of a television (col. 6 lines 5-17) but is silent on teaching an alarm system activated by movement of the control system for a predetermined time. Lent in an art related appliance protection circuit invention teaches an alarm system activated by movement of the appliance (col. 5 lines 18-22).

It would have been obvious to one of ordinary skill in the art to modify the television viewing control device in Harnum et al in view of Oh in view of Pierce as disclosed by Lent because activating the alarm when the appliance is moved secure the appliance from theft and prevent someone from circumventing the password requirement.

Art Unit: 2612

Claims 67 and 88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harnum et al. US Patent 5231661 in view of Oh US Patent 5231310 in view of Pearce US Patent 4011555 and further in view of Hertel US Patent 5751246.

Regarding claims 67 and 88, Harnum et al. teaches controlling access to the television (col. 6 lines 5-17) but is silent on teaching the alarm system comprises a GPS. Hertel teaches the use of GPS by an appliance to track the location of the appliance (col. 7 lines 8-25).

It would have been obvious to one of ordinary skill in the art to modify the television viewing control device in Harnum et al in view of Oh in view of Pierce as disclosed by Hertel because a GPS provides updated location information of the appliance.

Claim 70-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harnum et al. US Patent 5231661 in view of Oh US Patent 5231310 and further in view of White et al. US Patent 5513263.

Regarding claims 70-71, Harnum et al. teaches a password control system applicable to various media devices (col. 4 lines 35-40) but is silent on teaching the control system controls a plurality of computers through a network. White et al. in an art related control system teaches controlling a plurality of computers over a network (col. 1 lines 20-27).

It would have been obvious to one of ordinary skill in the art to modify the appliance control system of Harnum et al in view of Oh as disclosed by White et al. because Harnum et al. suggests the control system is applicable to various devices and the control of a plurality of computers over a network is more convenient than controlling each computer separately.

Art Unit: 2612

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vernal U. Brown whose telephone number is 571-272-3060. The examiner can normally be reached on 8:30-7:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 571-272-7308. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Vernal Brown
October 12, 2006



BRIAN ZIMMERMAN
PRIMARY EXAMINER